IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO.8513 of 2007

DATE OF DECISION: 29.05.2007

Rajpal and others ....Petitioners

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR.JUSTICE L.N. MITTAL

PRESENT: Mr.Ramesh Sharma, Advocate
for the petitioners.

J.S. Khehar, J. (oral)

The services of the petitioners were regularised with effect from 26.10.1982,although it was their claim that they ought to have been regularised with effect from 1.10.1980. The order of regularisation with effect from 26.10.1982 was passed vide order dated 5.11.1984 (Annexure P5). For the first time, the petitioners approached this Court to impugn the order dated 5.11.1984 by filing CWP No.11070 of 2005, whereupon the petitioners were directed to serve a fresh notice on the respondents to agitate their claim. Since the claim raised by the petitioners was still not considered, the petitioners approached this Court by filing CWP No.2853 of 2006. The aforestated writ petition was disposed of by this Court by an order dated 23.3.2006 with a direction to the respondents to take a final decision on the legal notice submitted by the petitioners within three

months. In compliance with the directions issued by this Court, the respondents have passed four separate orders dated 20.6.2006 declining the claim of the petitioners for regularisation with effect from 1.10.1980. It is the aforestated orders dated 20.6.2006, which are subject matter of challenge at the hands of the petitioners, through the instant writ petition.

A perusal of the impugned order reveals, that one of the primary reasons taken into consideration for declining the claim of the petitioners is the delay in agitating their claim. The sequence of facts narrated hereinabove reveal, that the order, which is primarily subject matter of challenge, was issued on 5.11.1984 (Annexure P5) in respect of petitioner No.1 and orders around the same time vide Annexures P6 to P8 for the remaining petitioners. Despite the aforesaid, the petitioners approached this Court, for the first time, by filing CWP No.11070 of 2005. It is, therefore, apparent, that the petitioners slept over the matter for more than 21 years before seeking legal redress. In the aforesaid view of the matter, we are satisfied, that the claim of the petitioners was rightfully rejected by the respondents, on account of delay.

Dismissed.

(J.S. Khehar)
Judge

(L.N. Mittal)
Judge

May 29, 2007.
vig